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*Attorneys for Defendant Hometown West II Homeowners Association*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE  
FOR THE CERTIFICATE HOLDERS OF  
CWABS INC., ASSET-BACKED  
CERTIFICATES, SERIES 2004-10,

Plaintiff,

vs.

HOMETOWN WEST II HOMEOWNERS  
ASSOCIATION and G&P ENTERPRISES,  
LLC d/b/a ALLIED TRUSTEE SERVICES,

Defendants.

Case No.: 2:16-cv-00254-JCM-NJK

**JOINT STATUS REPORT ON  
CONDITIONAL SETTLEMENT**

as amended on  
page 2

Previously, the parties had filed with this Court a Joint Notice of Conditional Settlement (ECF No. 33) and a request to stay discovery and further scheduling order deadlines. By Order entered September 30, 2016 (ECF No. 34), the Court granted the stay and directed the parties to file a stipulation for dismissal no later than November 14, 2016. The parties also indicated they would file a status report in forty-five days if the case was not dismissed at that time.

With this status report, the parties request until December 5, 2016, by which to file the necessary stipulation of dismissal. The governing Board of Defendant Hometown West II Homeowners Association (the **HOA**) has approved the Settlement Agreement and will execute it no later than its next scheduled meeting on November 17, 2016. In addition, the property at issue is currently occupied by tenants who are entitled to extended notice under the terms of the lease. Such notice has been effected and the tenants are now scheduled to vacate the premises by November 30, 2016. With that, the parties can conclude the settlement of this matter and will file appropriate papers to dismiss all pending claims, including the claims against defendant G&P Enterprises, LLC d/b/a Allied Trustee Services.

Therefore, the parties request all discovery and other scheduling order deadlines be stayed and the parties have until December 5, 2016, <sup>in which to file</sup> ~~either a stipulation of dismissal or another status report.~~ ~~papers with the court. The parties will file another status report in twenty one days if the case is not dismissed at that time.~~

Dated this 11<sup>th</sup> day of November 2016.

**AKERMAN LLP**

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*Attorneys for plaintiff The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificate Holders of CWABS, Inc., Asset-Backed Certificates, Series 2004-10*

Dated this 11<sup>th</sup> day of November 2016.

**LIPSON NEILSON COLE SELTZER & GARIN, P.C.**

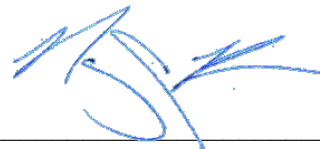
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*Attorneys for defendants Hometown West II Homeowners Association and G&P Enterprises, LLC d/b/a Allied Trustee Services*

**ORDER**

IT IS SO ORDERED.

DATED: November 14, 2016

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UNITED STATES MAGISTRATE JUDGE

**Lipson, Neilson, Cole, Seltzer & Garin, P.C.**

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